

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

New York, New York

Fernand Labrie

Date: October 29, 1999

Serial No.: 09/405,678

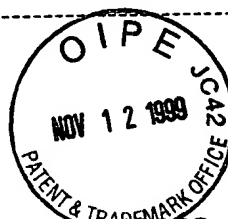
Group Art Unit: 1614

Filed: September 24, 1999

Examiner: ----

For: MEDICAL USES OF A SELECTIVE ESTROGEN RECEPTOR  
MODULATOR IN COMBINATION WITH SEX STEROID PRECURSORS

Asst. Commissioner for Patents  
Washington, D.C. 20231

Attention: Application Branch

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION - FILING DATE GRANTED

Sir:

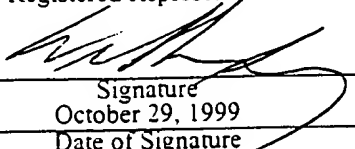
A copy of the Notice to File Missing Parts of Application - Filing Date Granted is enclosed. Responsive to the Notice, submitted herewith is the Inventor(s) Declaration and our Check No. 88993 which includes the amount of \$130.00 in payment of the surcharge.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.


If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on October 29, 1999:

WILLIAM O. GRAY, III  
Name of applicant, assignee or  
Registered Representative

  
Signature  
October 29, 1999  
Date of Signature

Respectfully submitted,

  
WILLIAM O. GRAY, III  
Registration No.: 30,944  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700  
WOG:jg

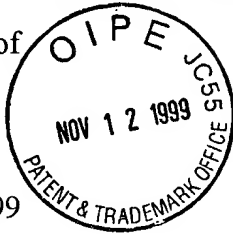
1664  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fernand Labrie

Serial No.: 09/405,678

Filed: September 24, 1999



New York, New York

Date: November 12, 1999

Group Art Unit: 1614

Examiner: ----

P/1259-503

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For: MEDICAL USES OF A SELECTIVE ESTROGEN RECEPTOR  
MODULATOR IN COMBINATION WITH SEX STEROID PRECURSORS

Asst. Commissioner for Patents  
Washington, D.C. 20231

Attention: Application Branch/Central Files 03C0

RECEIVED

NOV 22 1999

TECH CENTER 1600/2900

COMMUNICATION

Sir:

The undersigned hereby affirms that a response to the Notice of Missing Parts of Application - Filing Date Granted was filed in the above-captioned patent application on October 29, 1999. The PTO's copy of the Notice, which was inadvertently omitted from said response, is enclosed herewith, as is a copy of the papers previously filed.

Respectfully submitted,

WILLIAM O. GRAY, III

Registration No.: 30,944

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

WOG:jg



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

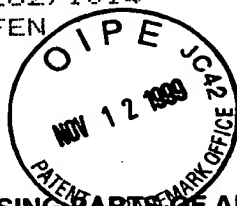
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/405,678 09/24/99 LABRIE

F P/1259-503

002352 0262/1014  
OSTROLENK FABER GERB & SOFFEN  
1180 AVENUE OF THE AMERICAS  
NEW YORK NY 10036-8403

NOT ASSIGNED



1614  
DATE MAILED:

10/14/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 130.00

☐ 1. The statutory basic filing fee is:

- ☐ missing  
☐ insufficient

Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$\_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$\_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$\_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.  
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

HARRISON T-G

Customer Service Center  
Initial Patent Examination Division (703) 308-1202